

COLCHESTER PLANNING COMMISSION

MINUTES OF THE MEETING

APRIL 6, 2010

PRESENT: Tom Mulcahy, Rich Paquette, Pam Loranger and Tim Ahonan

ALSO PRESENT: Sarah Hadd, Director

1. Call to Order

T. Mulcahy meeting was called to order at 7:05 p.m.

2. Discussion of Possible Rezoning to “Business District” along Hercules Drive

S. Hadd presented an overview of the businesses currently existing within the Exit 16 vicinity north of the Interstate. The Commission was provided with three spreadsheets to evaluate the businesses within the Water Tower Hill, Lower Mountain View Drive, and Hercules Drive areas.

S. Hadd noted that it appears that all of the existing businesses within the Water Tower Hill and Lower Mountain View Drive areas are conforming and no changes are needed. The only exception is the residence next to the Sunny Hollow Convenience Store which the owners of that store purchased and do not wish to have it rezoned.

S. Hadd and the members of the Commission next reviewed the Hercules Drive area with regard to existing businesses and whether or not they are conforming on non-conforming. It was determined that many are non-conforming because they have multiple uses in one building and they were not originally part of a Planned Unit Development. If the properties were rezoned to the Business District classification that would not result in additional non-conforming properties nor would it correct all issues but it would provide a lot of benefits to the existing properties. Discussed the Table of Permissible uses and what would be allowed to next if the properties were changed to the Business District.

Much discussion followed about a possible zoning change and what affect that change would have on uses that would be allowable and what uses would be allowable next door to each other. The Commission could not find any negative aspect that would be created by rezoning to a Business District and agreed that it would provide many benefits to businesses and property owners. Multiple uses in a single building would become conforming if the properties were rezoned to the Business District and language was modified in Article II of the Zoning Regulations.

3. Discussion of Planned Unit Development Requirements in Article Nine of the Zoning Regulations

S. Hadd recalled that last fall some property owners attended a meeting or wrote letters outlining their concern for the PUD requirements and requested that the Commission explore options for a rewrite that would provide relief and opportunity. S. Hadd noted that there are not many 5 acre buildable vacant lots in Colchester. Property owners and developers would like that 5 acre requirement decreased. S. Hadd noted that South Burlington does not have a minimum acreage size for a Planned Unit Development. She further commented that the PUD Regulations are approximately 20 years old and outdated.

The Commission agreed that the PUD requirements are something that they would like to review and work on in the future.

4. Discussion of Supplement 27 Zoning Housekeeping Items

S. Hadd reviewed the Supplement 27 Zoning Housekeeping Items.

1. Change the title DRB Coordinator to Zoning Administration throughout.
2. Change the title Town Planner to Director in Section 2.03D(1)
3. Fix a typo under Section 2.04H to delete Street and insert Road.
4. Clarify Section 2.05J for setback waivers to clearly state that structures can encroach in the setbacks up the amount already encroaching as currently interpreted.
5. State in Section 2.07 that port-o-lets are temporary structures and must be removed in 15 days unless associated with an ag operation, public park or construction site. A follow-up to this is in Section 2.097(e) that states portable toilets can not be permanently permitted.
6. Clearly state in Section 2.07 that play structures such as swings and tree houses are exempt from permits.
7. Clarify and consolidate Section 2.09B(2) and Section 10.03 for regulating trailers and trash.
8. Under Section 2.10B(1) require a minimum setback of at least 1.5 feet from property lines to allow property owners to maintain the fence without trespassing onto the neighbors' land.
9. Change Section 2.12 to clarify that nonconformity as it relates to seasonal camps and allow for these nonconformities to be rebuilt and perhaps even expanded.
10. Delete the first sentence of 2.19B as the new Public Works Standards now take precedent.
11. Section 7.03 should specify the maximum stair size and handrail requirements for at least one side of the stairs in the Shoreland District (as currently interpreted in a handout). Spell out flexibility in accommodating rise and run in the Shoreland District for exterior stairs. Also prohibit boat ramps from being used for parking.

Planning Commission – Minutes – April 6, 2010

12. Section 8.04 further specify that interior fit-ups for commercial properties that do not have the potential to increase the impact of the use can be done as just a building permit (i.e. no increase in employees, traffic, wastewater, parking, etc.)
13. Section 8.05 clarify the department responsible for providing abutter lists.
14. Section 9.01C remove the minimum acreage needed for a Planned Unit Development to provide greater flexibility for infill development per requests from the public and developers.
15. Section 9.01C remove the requirement for a density plan and clearly state that the density for a PUD project is the same as the lot would otherwise have under current zoning unless TDRs or congregate (elderly) housing bonuses are proposed.
16. Section 9.01C clarify wet areas are wetlands and make PUD 50 foot perimeter buffer only applicable in the residential districts to greater promote infill development within the GD, Commercial, Industrial, and Business Districts.
17. Section 10.01C (6) require ten-foot setbacks for driveways from property lines however allow for waivers where shared drives are proposed.
18. Table of Uses (A-1) section 6.110 allow Athletic Facilities as permissible uses in the GD1, GD3, and Business Districts.

The Commission opposed the setback requirement for a fence and requested that it be deleted from the proposed changes as well as a requirement that would prohibit boat ramp from being used for parking.

5. Minutes of 3/8/10 and 3/16/10

A **motion** was made by P. Loranger and **seconded** by R. Paquette to approve the minutes of March 8, 2010. The **motion passed** with a vote of 4 – 0.

A **motion** was made by P. Loranger and **seconded** by R. Paquette to approve the minutes of March 16, 2010. The **motion passed** with a vote of 4 – 0.

6. Packet Information

The Commission reviewed packet information.

ADJOURNMENT

There being no further business to be brought before the Commission, a motion was made and seconded to adjourn the meeting. All members of the Commission present voted in favor of the motion and the meeting was adjourned at 8:25 p.m.

Minutes taken and respectfully submitted by Lisa Riddle.

Planning Commission – Minutes – April 6, 2010

Approved this 4th day of May 2010

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